

ORIGINAL

WILLIAM BOYD,

Plaintiff

VS.

WILMINGTON TRUST CO.,

Defendant

Civ. No. 07-376-JJF

Plaintiff

William Boyd  
602 Tamara Circle  
Newark, De 19711  
(302) 368-9049

Defendant

Wilmington Trust Co.  
1100 North Market Street  
Wilmington, DE 19890  
(302)652-2378

Date: 11/26/07

FILED  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
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RESPONSE TO DEFENDANTS MOTION TO DISMISS

FACTS

Wilmington Trust is a bank that is incorporated in Delaware. Wilmington Trust does business in several states across United States primarily serves Delaware, Maryland, New Jersey and Pennsylvania. I, William Boyd, own Allstaff, Inc. Allstaff, Inc. is a temporary agency that serves Delaware, Maryland, Pennsylvania and New Jersey. I, William Boyd, used Wilmington Trust for personal and Allstaff's business banking services.

John Boyd has used Wilmington Trust for his personal and business bank. He owned several companies that he used Wilmington Trust for the banking needs. Action Temporary, Action Multi Craft, Jack Boyd's Action Employment are some of the names the accounts he had through Wilmington Trust. This is not limiting his accounts with Wilmington Trust. There most likely are others and most likely have Action in the name or his name in the business name. John Boyd with the assistance of Wilmington Trust embezzled money from B and R and Allstaff which are William Boyd's companies. Most of these actions were funded in the name of B and R and Allstaff but were acquired by John Boyd.

Krista Garrettson was William Boyd's employee at Allstaff until she went to work for John Boyd. She knowingly deposited checks into wrong accounts for wrong companies at Wilmington Trust, falsified records, embezzled, stole property and more.

Tempay is a payroll financing company that buys invoices and pays you dividends after the invoice is paid. They gave loans against Allstaff and gave funding / dividend payments to John Boyd that were suppose to be for Allstaff and also sometimes made out to Allstaff's name.

Robin (Rizzo) Boyd is had a court case against William Boyd's company B and R, Inc. and won \$600,000.00. I, William Boyd, had known idea that there was even a case against him.

Harry Morris represented I, William Boyd, in this case against Robin Rizzo vs. William Boyd's B and R, Inc. However, I, William Boyd, did not have any clue of this case.

Insurance and Financial Services allowed John Boyd to extend Allstaff's financial responsibilities. John Boyd had no authority for any financial request against Allstaff.

Stratus Services bought B and R's clients for \$4,000,000.00 and supposedly paid by checks to B and R, Inc.

Wilmington Trust embezzled money from William Boyd's companies (Allstaff and B and R) to John Boyd and John Boyd's companies. Wilmington Trust allowed loans and other services (some that needed signature/notarized) without William Boyd's knowledge or approval. When William Boyd had suspicion of what was going on, he went to Wilmington Trust (Newport Branch) and was coldly lead to believing there was nothing they could do. I, William Boyd, exhausted all administrative means with Wilmington Trust to resolve the illegal activities. Throughout the time Wilmington Trust had all my correct information and I, William Boyd, frequent the Newport Branch weekly and spoke with proper Wilmington Trust employees that knew and were part of the injustice but they (the Wilmington Trust Employees) did not reveal the illegal activities.

## RESPONSE

Wilmington Trust conspired with John Boyd, Krista Garrettson, Tempay, Robin (Rizzo) Boyd, Insurance and Financial Services, Stratus Services and Harry Morris to eliminate Allstaff's ability to compete in this horizontal market. Wilmington Trust has monopoly power and uses it illegally to control and grow their monopoly power. Wilmington Trust executes this illegally used monopoly power by its employees (bank officers, tellers, bank managers, loan officers and others) committing bank fraud, forgery, embezzlement, identity theft, extortion and stealing (theft).

Wilmington Trust injures and eliminates competition of this horizontal market. Wilmington Trust chooses who will succeed and who will fail by these anticompetitive acts of bank fraud, forgery, embezzlement, identity theft, extortion and stealing (theft). Wilmington Trust restrains trades in results of theses acts. The interstate commerce is adversely affected since by these acts committed being committed when both Wilmington Trust and Allstaff does business in several states. Not only does Wilmington Trust affect Allstaff but Wilmington Trust affects the whole market when they pick and choose who will succeed and who will fail. This eliminates a fair market.

## SUMMARY

Wilmington Trust violates the Sherman Act Section 1 and 2.  
 Wilmington Trust committed bank fraud, forgery, embezzlement, identity theft, extortion and stealing (theft).  
 Wilmington Trust conspired with John Boyd, Krista Garrettson, Tempay, Robin (Rizzo) Boyd, Insurance and Financial Services and Harry Morris to eliminate Allstaff's ability to compete in this horizontal market. Wilmington Trust's employees deposited checks and funds into John Boyd's accounts that were made out to William Boyd's companies. Wilmington Trust's employees also processed loan applications that were against William Boyd and his companies with out having William Boyd's (the only officer and

owner of the companies) approval or knowledge. Wilmington Trust allowed other signature and notarized contracts against William Boyd's company to proceed without William Boyd's knowledge or approval.

Sherman Act Sec. 1

Section I of the Sherman Act, 15 U.S.C. §1, requires that I plead an agreement exists between two or more entities and that the agreement unreasonably restrains trade. The agreement between Wilmington Trust, John Boyd, Krista Garrettson, Tempay, Robin Boyd, Insurance and Financial Services, Stratus Services and Harry Morris creates a horizontal market division which isolates the financing needed and the temporary employment clients for construction and industrial field. This eliminates free trade of this horizontal market which creates an unreasonably restrain of trade in this market.

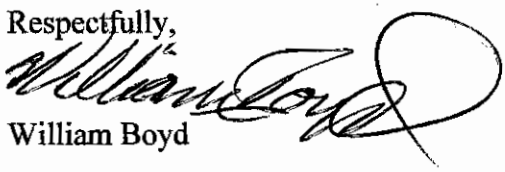
Sherman Act Sec. 2

Section II of the Sherman Act, 15 U.S.C. §2, prevents persons who monopolize or attempt to monopolize and persons who conspire to monopolize "any part of the trade or commerce among the several states". Wilmington Trust, John Boyd, Krista Garrettson, Tempay, Robin Boyd, Insurance and Financial Services, Stratus Services and Harry Morris have monopolized, attempt to monopolized and conspired to monopolize the temporary employment clients for construction and industrial workers and the financing needed among several states.

Wilmington Trust services several states and Allstaff, Inc.'s services several states and had clients from several states. Through Wilmington Trust's, John Boyd's, Krista Garrettson's, Tempay's, Robin Boyd's, Insurance and Financial Services', Stratus Services' and Harry Morris' bank fraud, forgery, embezzlement, identity theft, extortion and stealing (theft) being willfully committed; this achieves and maintains the monopoly power. These anticompetitive actions foreclose competition and conspirers to monopolize this horizontal market of the temporary employment construction and industrial clients and the financing needs.

I respectfully ask this honorable Court to deny the Wilmington Trust's motion to dismiss. In the alternative, I respectfully request that the Court allow me a reasonable time to retain counsel and amend my complaint. I thank the Court in advance for its time and understanding in this matter.

Respectfully,

  
William Boyd

Date: 11/26/07

CC:

Defendant's Council:

Barry M. Willoughby, Esquire

Monte T. Squire, Esquire

Young, Conway, Stargatt & Taylor, LLP

The Brandywine Building

1000 West Street, 17<sup>th</sup> Floor

P.O. Box 391

Wilmington, DE 19899-0391

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**CERTIFICATE OF SERVICE**

I, William Boyd, hereby certify that on November 26, 2007, I delivered and served a true and correct copy of Petitioner's Response to the "Defendant's Opening Brief in Support of Its Motion to Dismiss" to the Clerk of Court of the USDC of Delaware.

I further certify that I served a true and correct copy of the foregoing document on the Defendant Wilmington Trust's Council Barry M. Willoughby and Monte T. Squire in the manner of priority mail.

Thank you,



William Boyd  
602 Tamara Circle  
Newark, DE 19711

Defendant's Council info:  
Barry M. Willoughby, Esquire  
Monte T. Squire, Esquire

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